

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

ISABEL STEVENS,)	
)	
PLAINTIFF)	
)	
V.)	Civil Action No. 1:11-cv-00218-PB
)	
LIBERTY MUTUAL GROUP, INC.,)	
)	
DEFENDANT)	
_____)	

MOTION FOR LEAVE TO AMEND COMPLAINT

NOW COMES the Plaintiff, Isabel Stevens, by and through her attorney, LYONS LAW OFFICES, P.A., and hereby respectfully submits this Motion for Leave to Amend Complaint and thereof states the following:

1. Plaintiff, Isabel Stevens filed a Complaint in the New Hampshire, Strafford County Superior Court asserting a variety of claims against the Defendant in connection with her wrongful termination and constructive discharge.

2. Defendant removed Plaintiff's Complaint to this Honorable Court pursuant to 42 U.S.C. 1332 in that Plaintiff was a citizen of the State of New Hampshire and the Corporate Defendant of the Commonwealth of Massachusetts.

3. Plaintiff has brought claims alleging age discrimination, constructive discharge, wrongful termination, fraud, undue influence, fraudulent misrepresentation, negligent misrepresentation, and enhanced compensatory damages.

4. The Complaint filed by Plaintiff in the State of New Hampshire Strafford County Superior Court was sufficient as to form and substance to bring forward State Court claims.

5. The Structuring Conference in this matter is not scheduled until July 6, 2011.

6. Defendant has now filed a Motion for Judgment on the Pleadings pursuant to Rule 12 (c) of the Federal Rules of Civil Procedure.

7. Plaintiff has filed her Objection immediately prior to filing this Motion for Leave to Amend.

8. Plaintiff pursuant to Rule 15 (a)(2) of the Federal Rules of Civil Procedure moves to amend her complaint by leave of Court by adding a Count I for violation of the Age Discrimination in Employment Act, a claim which she did not originally bring as the action was initially filed in State Court.

9. Plaintiff also amends her Complaint by further clarifying her claim for age discrimination under NH RSA 354-A.

10. Plaintiff incorporates herein and respectfully refers the Court to the accompanying Memorandum of Law in Support of Motion for Leave to Amend.

11. Plaintiff also files herewith an accompanying Amended Complaint.

12. Because Defendant has a pending Motion for Judgment on the Pleadings and this Motion for Leave to Amend is being filed with and part of Plaintiff's Objection thereto, no attempt to obtain Defendant's assent was made.

WHEREFORE, Plaintiff, respectfully asks this Court:

- A. Grant the Motion for Leave to Amend the Complaint pursuant to the accompanying amended Complaint; and
- B. For such other and further relief that may be just and equitable.

Respectfully Submitted,
ISABEL STEVENS
By her attorneys,
LYONS LAW OFFICES, P.A.

Date: June 22, 2011

By: /s/John E. Lyons, Jr.
John E. Lyons, Jr. (NHBA#1535)
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603-431-5144
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served via Electronic Filing and US Mail on:
Nancy E. Oliver, Esq., 100 International Drive, Suite 363, Portsmouth, NH 03801, counsel for
Defendant.

Date: June 22, 2011

/s/John E. Lyons, Jr.
John E. Lyons, Jr.